

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA  
MIAMI DIVISION

CASE NO. 00-6022-CIV-LENARD/TURNOFF

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CLERK S.D. OF FLA. - MIAMI  
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HENRY NARANJO and  
MARLENE RAMIREZ,

Plaintiffs,

v.

STEPHEN BYRON SMITH, and  
PALMER JOHNSON, INC..

Defendants.

**NOTICE OF TAKING DEPOSITION DUCES TECUM**

**TO:** John D. Kallen, Esq.  
Badiak, Will & Kallen  
Attorneys for Stephen Byron Smith  
17071 West Dixie Highway  
N. Miami Beach, FL 33160

F. David Famulari, Esq.  
Blanck & Perry, P.A.  
Co-Counsel for Plaintiffs  
5730 SW 74th St., Suite 700  
Miami, FL 33143

Manuel Valdes, Esq.  
Rivkind & Pedraza, P.A.  
Attorneys for Plaintiffs  
66 W. Flagler Street, Suite 600  
Miami, Florida 33130

PLEASE TAKE NOTICE that the undersigned attorneys will take the deposition of:

**Name:** **Tom Texas**

**Date and Time:** **Monday, May 7, 2001 at 3:30 p.m.**

**Location:** **Esquire Court Reporting  
422 Camden Avenue  
Stuart, Florida 34994**

upon oral examination before **Esquire Court Reporting, Inc.** or any other officer or Notary Public authorized by law to take depositions, said examination to continue from day to day until completed. The deposition will be taken for the purpose of discovery, for

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use at trial, or for such other purposes as are permitted pursuant to all applicable and governing Florida Statutes. You are to have with you at said deposition the following:

Your entire file, specifically including but not limited to, any and all records concerning the original design and construction of the vessel "Captivator" (formerly "Souvenir") as well as the construction of the subsequent extension on said vessel.

In accordance with the Americans with Disabilities Act, persons with disabilities needing a special accommodation to participate in this proceeding should contact the office of the undersigned, no later than seven (7) days prior to the proceeding.

**PLEASE BE GOVERNED ACCORDINGLY.**

IT IS HEREBY CERTIFIED that a true and correct copy of the foregoing has been furnished by facsimile and mail this 17th day of April, 2001 to the above-named addressees.

PINKERT LAW FIRM LLP  
David L. Weber  
Co-Counsel for Defendant Palmer Johnson  
P. O. Box 89  
Sturgeon Bay, WI 54235-0089

VALLE & CRAIG, P.A.  
Attorneys for Palmer Johnson, Inc.  
80 SW 8th Street, Suite 2520  
Miami, FL 33130  
Telephone: (305) 373-2888  
Facsimile: (305) 373-2889  
sioli@vallecraig.com

By: 

FRANK J. SIOLI  
Fla. Bar No. 9562

cc: Esquire Court Reporting